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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/064,969	09/05/2002	Hung-Yi Wu	SPCP0001USA	7016

27765 7590 10/21/2003

NAIPO (NORTH AMERICA INTERNATIONAL PATENT OFFICE)
P.O. BOX 506
MERRIFIELD, VA 22116

EXAMINER

LIN, TINA M

ART UNIT PAPER NUMBER

2874

DATE MAILED: 10/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/064,969	WU, HUNG-YI	
	Examiner	Art Unit	
	Tina M Lin	2874	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 September 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
 If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____. | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 and 5 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by U.S. Patent Application Publication 2003/0044129 A1 to Ahrens et al. Ahrens et al. discloses a transceiver module with a socket (410) and a transceiver (400) to insert into the socket with an emitter, receiver and printed circuit board within a housing (151) in the transceiver to processes photoelectronic signals. [0005] Ahrens et al. further discloses a locking device (Figures 2A-D) for securing the transceiver into the socket, where the locking device comprises of a first coupling mechanism (152) and a second coupling device (170/175) to engage with the first coupling device to lock the transceiver and socket together. Ahrens et al. also discloses a separate unlocking device (Figures 5-8) on the transceiver that rotates so the so that the first end will move the first coupling mechanism to separate it from the second coupling mechanism on the locking device so the transceiver can be pulled out of the socket.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication 2003/0044129 A1 to Ahrens et al. as applied to claim 1 above. In regard to claim 2, Ahrens et al. discloses all discussed above and further discloses a pivot (X2) formed between the first and second end of the unlocking device, so when the first end is moved upward, the transceiver is capable of being pulled out. But Ahrens et al. fails to disclose the second end to be specifically pushed downward. However, from Figures 8A-B, the locking mechanism comprises of a lever (460) to be moved 90 degrees. Once this lever is moved, the second end is pushed downward and therefore the first end will unlock and disengage the locking mechanism. Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have used pushed the second end downward in order for the first end to have come upward to disengage the locking mechanism.

In regard to claims 3 and 4, Ahrens et al. discloses all discussed above and further discloses the one of the coupling mechanism with the opening to be an elastic piece [0031] and the other coupling mechanism being a protrusion so when the mechanism with an opening lifts up the elastic piece, the protrusion will fit into the opening. But Ahrens et al. fails to disclose the first coupling mechanism on the socket to be an elastic piece with an opening and the second coupling mechanism on the transceiver to be a protrusion. However, Ahrens et al. does disclose

the first coupling mechanism on the socket to be a protrusion and the second coupling device to be an elastic piece with an opening. Even though Ahrens et al. discloses the coupling mechanisms to be opposite of Applicant, the end result of locking and unlocking the transceiver from the socket remains the same. Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have either placed the elastic piece with an opening on the socket and the protrusion on the transceiver or vice versa since the end result is the same where the transceiver and the socket are locked together in place and can be unlocked as well.

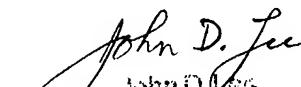
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. References B-E discuss different structures and configurations of transceivers with locking and unlocking mechanisms.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tina M Lin whose telephone number is (703) 305-1959. The examiner can normally be reached on Monday-Friday 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney Bovernick can be reached on (703) 308-4819. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.


TML


John D. Lee
Primary Examiner